

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

THOMAS BRANDENBURG, *et al.*,

*On behalf of themselves
and those similarly situated,*

Plaintiffs,

Case No. 3:16-cv-516

v.

JUDGE WALTER H. RICE

MAGISTRATE JUDGE MICHAEL
J. NEWMAN

COUSIN VINNY'S PIZZA, LLC, *et
al.*,

Defendants.

ENTRY ADOPTING REPORT AND RECOMMENDATIONS THAT THE PARTIES AGREED ORDER ON PLAINTIFFS' MOTION FOR CONTEMPT (DOC. #34) BE SUSTAINED (DOC. #100); AGREED ORDER ON PLAINTIFFS' MOTION FOR CONTEMPT SHALL ENTER CONTEMPORANEOUSLY

Plaintiffs, on behalf of themselves and others similarly situated (collectively "Plaintiffs"), filed a Motion for Contempt ("Motion") against Defendants Cousin Vinny's Pizza, LLC, Mo Rashad, and numerous limited liability corporations which are owned and operated by Rashad as a single integrated enterprise (collectively "Defendants" or "Cousin Vinny's"), based on Defendants' alleged spoliation of discoverable evidence. Doc. #34. On August 7, 2017, Magistrate Judge Michael J. Newman heard oral argument on the Motion, and after said hearing, Plaintiffs and Defendants submitted to the Magistrate Judge a proposed Agreed Order on Plaintiffs' Motion for Contempt ("Agreed Order"). Doc. #100, PAGEID #1012, 1014-16. On October 25, 2017, the

Magistrate Judge issued a Report and Recommendations, recommending that the Agreed Order be adopted by this Court. *Id.*, PAGEID #1012. Subsequently, counsel for Plaintiffs and Defendants filed notices with this Court, stating that they did not object to the Report and Recommendations. Doc. #102, 103.

In light of the above, and finding good cause shown, the Court ADOPTS the Report and Recommendations, and will enter the Agreed Order in a contemporaneous Entry.

Date: November 14, 2017



WALTER H. RICE
UNITED STATES DISTRICT JUDGE